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APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 7884 07/22/2003 W. Donald Parr 074210.0103 10/625,294 EXAMINER 5073 7590 08/16/2004 BAKER BOTTS L.L.P. HUNTER, ALVIN A 2001 ROSS AVENUE PAPER NUMBER ART UNIT SUITE 600 DALLAS, TX 75201-2980 3711

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Applic	cation No.	Applicant(s)	D
		25,294	PARR, W. DONALD	· /
Office Action Summary	Exami	iner	Art Unit	F
		A. Hunter	3711	
The MAILING DATE of this comm Period for Reply	unication appears on	i the cover sheet wit	h the correspondence addr	ess
A SHORTENED STATUTORY PERIOD THE MAILING DATE OF THIS COMMU - Extensions of time may be available under the provisi after SIX (6) MONTHS from the mailing date of this co. - If the period for reply specified above is less than third. - If NO period for reply is specified above, the maximur - Failure to reply within the set or extended period for rown and the period for reply received by the Office later than three months are patent term adjustment. See 37 CFR 1.704(b)	JNICATION. ions of 37 CFR 1.136(a). In n ommunication. ty (30) days, a reply within the m statutory period will apply ai eply will, by statute, cause the ths after the mailing date of thi	no event, however, may a re e statutory minimum of thirty and will expire SIX (6) MONT e application to become ABA	rply be timely filed (30) days will be considered timely. FHS from the mailing date of this common that the mailing date of this common that the mailing date of this common that the mailing date of the mailin	munication.
Status				
1) Responsive to communication(s)	filed on 22 July 2003	<u>3</u> .		
2a)☐ This action is FINAL.	2b)⊠ This action			
3)☐ Since this application is in conditi		•		nerits is
closed in accordance with the pra	actice under <i>Ex par</i> te	· Quayle, 1935 C.D.	. 11, 453 O.G. 213.	
Disposition of Claims				
4)⊠ Claim(s) <u>1-32</u> is/are pending in the 4a) Of the above claim(s) is 5)□ Claim(s) is/are allowed. 6)⊠ Claim(s) <u>1-32</u> is/are rejected. 7)□ Claim(s) is/are objected to 8)□ Claim(s) are subject to res	s/are withdrawn from			
Application Papers				
9)⊠ The specification is objected to by	the Examiner.			
10) The drawing(s) filed on is/a		r b) objected to t	y the Examiner.	
Applicant may not request that any o	bjection to the drawing((s) be held in abeyand	ce. See 37 CFR 1.85(a).	
Replacement drawing sheet(s) include	ling the correction is rea	quired if the drawing(s) is objected to. See 37 CFR	. 1.121(d).
11)☐ The oath or declaration is objected	d to by the Examiner.	. Note the attached	Office Action or form PTO	-152 .
Priority under 35 U.S.C. § 119				
12) Acknowledgment is made of a cla a) All b) Some * c) None of 1. Certified copies of the prior 2. Certified copies of the prior 3. Copies of the certified copies application from the Interna	f: rity documents have I rity documents have I es of the priority docu	been received. been received in Ap uments have been i	oplication No	tage
* See the attached detailed Office ad	•		received.	
Attachment(s)				
1) Notice of References Cited (PTO-892)			ummary (PTO-413)	
2) Notice of Draftsperson's Patent Drawing Review		Paper No(s))/Mail Date	E2\
Information Disclosure Statement(s) (PTO-1449 Paper No(s)/Mail Date	or PTO/SB/08)	5) Notice of Int	formal Patent Application (PTO-1 _·	5 2)

DETAILED ACTION

Specification

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

Regarding claim 30, the specification does not disclose having a putter head of a greater mass than a second putter head, only that a first putter has a high-density and the second club head has a low-density. Because the materials are different this does not set forth that the masses would be different because there is nothing within the specification that states that each club head in the set is made of a unitary material.

Claim Objections

2. Claims 2 and 3 are objected to because of the following informalities:

Regarding claims 2 and 3, in line 1 of both claims, "and" should read --wherein the putter head--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 31 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 31, applicant recites the shafts relative to a perpendicular angle. What is the perpendicular angle relative to? Clarity needed.

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Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 7, 18, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Sundin (USPN 5584769).

Regarding claim 1, Sundin discloses a putter 10 comprising a shaft 14 having a proximate end and a distal end, a grip 26 affixed to the proximate end of the shaft, a putter head 12 affixed to the distal end of the shaft wherein the putter head comprises a unitary block of metal and the putter head comprises a front face 16 and a toe face each operative to be used as a striking surface for propelling a golf ball (See Figure 1 and Column 3, lines 50 through 58).

Regarding claim 2, Sundin discloses the putter further having a heel face capable of being used as a striking surface for propelling a golf ball (See Figure 2).

Regarding claim 3, Sundin discloses the putter further comprising a back face 18 operative to be used as a striking surface for propelling a golf ball (See Figure 1 and 3 and Summary of the invention).

Regarding claim 4, Sundin shows the face angle of the toe face, the face angle of the front face and the shaft angle configured such that a player addressing a golf ball with the toe face nearest the golf ball or with the front face nearest the golf ball will be

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addressing the golf ball with a face at substantially the same angle with respect to

vertical (See Figures 2 and 3).

Regarding claim 7, Sundin shows the interface between the front face and the

sole face of the putter head is radiused (See Figure 1 and 3).

Regarding claim 18, Sundin discloses a putter 10 comprising a shaft 14 having a

proximate end and a distal end, a grip 26 affixed to the proximate end of the shaft, a

putter head 12 affixed to the distal end of the shaft wherein the putter head comprises a

unitary block of metal and the putter head comprises a front face 16, a toe face, and a

back face 18 each operative to be used as a striking surface for propelling a golf ball

(See Figure 1 and Column 3, lines 50 through 58). Sundin also shows the face angle of

the toe face, the face angle of the front face and the shaft angle configured such that a

player addressing a golf ball with the toe face nearest the golf ball or with the front face

nearest the golf ball will be addressing the golf ball with a face at substantially the same

angle with respect to vertical (See Figures 2 and 3).

Regarding claim 26, Sundin discloses a putter comprising a shaft 14 having a

proximate end and a distal end, a grip 26 affixed to the proximate end of the shaft, a

putter head 12 affixed to the distal end of the shaft wherein the putter head comprises a

front face 16, top face, and sole face wherein each of the faces being substantially

planar in character and the sole face being substantially parallel to and substantially

wider than the top face (See Figure 1 and 3).

Claim Rejections - 35 USC § 103

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 5. Claims 6, 8, 14-17, 19, 20, 22-24, 30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sundin (USPN 5584769).

Regarding claims 6 and 19, Applicant does not discloses why it is critical to have a slot disposed in a longitudinal direction across the entirety of the back face of the putter head in order to attain the invention. One having ordinary skill in the art would have sought such to be an obvious mater of design choice. The putter head of Sundin would perform equally well because it allows the user to strike the ball using more than one striking face.

Regarding claims 8 and 20, Applicant does not disclose why it is critical for the radius to be from 1/8 to 3/8 of and inch in order to attain the invention. One having ordinary skill in the art would have found such to be an obvious matter of design choice. The radius of Sundin would perform equally well because it prevents stubbing when cocking the putter or stroking the golf ball (See Column 2, lines 34 through 48).

Regarding claims 14, 15, 21, and 22, Applicant does not disclose why it is critical for the length and height to be of a particular value in order to attain the invention. One having ordinary skill in the art would have found such to be an obvious matter of design choice. The dimension of the club head of Sundin would perform equally well because it prevents stubbing during play (See Column 2, lines 34 through 48).

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Regarding claims 16 and 23, Sundin shows the angle of the front face with respect to vertical being about 0 degrees (See Figure 1). One having ordinary skill in the art would have found it obvious to have the front face of about 0 degrees from vertical because it is common used within the art of golf club heads.

Regarding claims 17 and 24, Sundin shows the angle of the back face 18 with respect to vertical being about 40 degrees since angle β is 130° from a third common edge (See Figure 1). One having ordinary skill in the art would have found it obvious to have the front face of about 40 degrees from vertical in order to assist in chipping shots.

Regarding claim 30, Sundin discloses a putter 10 comprising a shaft 14 having a proximate end and a distal end, a grip 26 affixed to the proximate end of the shaft, a putter head 12 affixed to the distal end of the shaft wherein the putter head comprises a unitary block of metal and the putter head comprises a front face 18. Sundin also notes that the club may be made of different materials such as steel, aluminum, etc. which inherently have different densities and masses. Sundin does not disclose two clubs but one having ordinary skill in the art would have found it obvious to have two clubs have the same approximate dimensions in order accommodate multiple users. Furthermore, one having ordinary skill in the art would have found it obvious to have a mass of one club greater than another in order to adjust the moment of inertia of the club head.

Regarding claim 32, Sundin disclose that the front face may have an angle any where between 130 to 170 degrees wherein the angle variation is dependent upon the need of the user (See Column 2, lines 34 through 43). One having ordinary skill in the

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art would have found it obvious to have the front face angle of the club heads of different angles in order to address the needs of the user.

6. Claims 5 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sundin (USPN 5584769) in view of Meek (USPN 5297603).

Regarding claims 5 and 25, Sundin does not discloses the putter having a putter head cover. Meek discloses a club head cover (See abstract). Applicant does not disclose why it is critical for the club head to have planar faces or to have only a detent in order to attain the invention. One having ordinary skill in the art would have found such to be an obvious matter of design choice. The club head cover of Meek would perform equally the same because it protects the club head from being damaged.

7. Claims 9-11, 18, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sundin (USPN 5584769) in view of Lin (USPN 5700206).

Regarding claims 9-11, 18 and 27, Sundin discloses a putter 10 comprising a shaft 14 having a proximate end and a distal end, a grip 26 affixed to the proximate end of the shaft, a putter head 12 affixed to the distal end of the shaft wherein the putter head comprises a unitary block of metal and the putter head comprises a back face 18, a toe face, heel face, and sole face. Sundin does not disclose the putter having a bevel on the sole face or having a slot across the back face. Lin discloses a putter having a sole face 15 wherein the sole face comprises a first bevel 16 disposed at the interface of the sole face and the toe face 13 of the putter head and a second bevel 17 disposed at the interface of the sole face and the heel face 11 of the putter head (See Paragraph bridging columns 2 and 3 and Figure 1). One having ordinary skill in the art would have

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found it obvious to incorporate a bevel into Sundin, as taught by Lin in order to have the striking face perpendicular to the ground when addressing the golf ball. Applicant does not discloses why it is critical to have a slot disposed in a longitudinal direction across the entirety of the back face of the putter head in order to attain the invention. One having ordinary skill in the art would have sought such to be an obvious mater of design choice. The putter head of Sundin would perform equally well because it allows the user to strike the ball using more than one striking face.

8. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sundin (USPN 5584769) in view Bristow et al. (USPN 6001495).

Regarding claim 12, Sundin does not disclose that the putter head is made of Ti-64 titanium. Bristow et al. discloses that Ti-64 is common used for fabricating club heads (See Background of the invention). One having ordinary skill in the art would have found it obvious to fabricated the putter head of Ti-64, as taught by Bristow et al., because it is common within the art of golf club heads.

9. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sundin (USPN 5584769) in view of McCormick (USPN 4314863).

Regarding claim 13, Sundin does not disclose the putter head made of 17-4 stainless steel. McCormick discloses that it is common within the art to produce a golf club head (See Background of the Invention). One having ordinary skill in the art would have found it obvious to fabricate a putter head of 17-4 stainless steel, as taught by McCormick, because the material readily available and used within the art of golf club heads.

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10. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sundin (USPN 5584769) in view Lin (USPN 5700206) further in view of Bristow et al. (USPN 6001495).

Regarding claim 28, Sundin in view of Lin does not disclose that the putter head is made of Ti-64 titanium. Bristow et al. discloses that Ti-64 is common used for fabricating club heads (See Background of the invention). One having ordinary skill in the art would have found it obvious to fabricated the putter head of Ti-64, as taught by Bristow et al., because it is common within the art of golf club heads.

11. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sundin (USPN 5584769) in view of Lin (USPN 5700206) further in view of McCormick (USPN 4314863).

Regarding claim 29, Sundin in view of Lin does not disclose the putter head made of 17-4 stainless steel. McCormick discloses that it is common within the art to produce a golf club head (See Background of the Invention). One having ordinary skill in the art would have found it obvious to fabricate a putter head of 17-4 stainless steel, as taught by McCormick, because the material readily available and used within the art of golf club heads.

12. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sundin (USPN 5584769) in view of Keating (USPN 1765982).

Regarding claim 31, Sundin does not disclose the shaft being less than 90 degrees. Keating discloses a golf club having an adjustable lie angle (See Page 1, lines 1 through 31). One having ordinary skill in the art would have found it obvious to have

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the shaft angles of any angle, as taught by Keating, in order to have the sole of the club

head parallel to the ground when addressing a stroke.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Alvin A. Hunter whose telephone number is 703-306-

5693. The examiner can normally be reached on Monday through Friday from 7:30AM

to 4:00PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gregory Vidovich, can be reached on 703-308-1513. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

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MAA

Alvin A. Hunter, Jr.

GREGORY VIDOVICH

SUPERVISORY PATENT EXAMINE

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